

## **REMARKS**

Applicant, by the amendments presented above, has made a concerted effort to present claims which more clearly define over the prior art of record, and thus to place this case in condition for allowance.

Currently, claims 6-14, 18-50, 54-56, 85 and 86 are pending. Claims 85 and 86 were added in this Amendment. Claims 15-17 and 51-53 were canceled without prejudice in this Amendment. Claims 1-5 and 57-84 were canceled in this Amendment and Applicants reserve the right to file divisional applications on these claims.

### ***Allowable Subject Matter***

The Examiner indicated that claims 21-37 are allowed, and that claims 12, 13, 15-17, 19, 20, 48-53, 55 and 56 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claim 6 has been amended to include the limitations previously provided in claim 17, except that "speech synthesizing means" has been changed to "speech synthesizer". Independent claim 38 has been amended to include the limitations previously provided in claim 53, except that "speech synthesizing means" has been changed to "speech synthesizer". Applicant submits that this change does not effect the allowability of claims 6 and 38. Reconsideration and allowance is requested.

Claims 12, 13, 19 and 20 have been rewritten in independent form and include all of the limitations found in claim 6 prior to the present Amendment. Applicant submits that these claims are in condition for allowance.

Claim 21 which had been found to be allowable has been amended to avoid a possible §112 rejection of the dependent claims.

Claims 48, 49, 55 and 56 have been rewritten in independent form and include all of the limitations found in claim 38 prior to the present Amendment. Applicant submits that these claims are in condition for allowance.

The remaining pending claims are dependent upon one of these independent claims. Therefore, Applicants submit that these dependent claims are in condition for allowance. Reconsideration and allowance is requested.

#### ***Claim Rejections - 35 U.S.C. §102***

Claims 6-10, 14, 18, 38-47 and 54 were rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,992,742 to Sullivan et al. Independent claims 6 and 38 have been amended to contain subject matter which the Examiner found to be allowable. Therefore, Applicants submit that this rejection is moot.

#### ***Information Disclosure Statements***

Applicants submitted Information Disclosure Statements on April 3, 2002, June 20, 2001, June 18, 2001 and April 12, 2001. Copies of the Information Disclosure Statements are enclosed, along with copies of the return postcards received from the United States Patent and Trademark Office indicating that the Information Disclosure Statements were received. Because these Information Disclosure Statements were timely submitted, consideration of same is requested and return of the initialed Form PTO 1449 is requested.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: June 23, 2004

By:



Raiford A. Blackstone, Jr., Reg. No. 25,156

Linda L. Palomar, Reg. No. 37,903

TREXLER, BUSHNELL, GIANGIORGI  
BLACKSTONE & MARR, LTD.

105 W. Adams Street

Suite 3600

Chicago, Illinois 60603

(312) 704-1890



PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 09/761,935 )  
Filed: January 17, 2001 )  
For: APPARATUS AND METHOD )  
FOR INFORMATION )  
CHALLENGED PERSONS TO )  
DETERMINE INFORMATION )  
REGARDING PHARMACEUTICAL )  
CONTAINER LABELS )  
Applicant: David RAISTRICK and )  
Philip RAISTRICK )  
Group Art Unit: Not yet assigned )  
Attorney Docket No.: 1766/39027 )  
Case 1A-CIP )

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on	
<u>April 12, 2001</u>	Dated
<u>Tiffany E. Sexton</u>	

INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and Form PTO-1449. Copies of the listed references are enclosed herewith.

This Information Disclosure Statement is being filed within three months of filing the application and before receipt of a first Office Action, and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 CFR §1.97, the presentation of this information shall not be construed as a representation that a search has been made or that no other material information as defined in 37 CFR §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56.

Respectfully submitted,

Dated: 4/12/01

By: Paige A. Kitzinger  
Raiford A. Blackstone Reg. 25,156  
Linda L. Palomar Reg. 37,903  
Paige A. Kitzinger Reg. 45,219  
TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

66110

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Form PTO-1449  
(Rev. 2-83)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 1766/39027  
Case 1A-CIP

SERIAL NO. 09/761,935

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

APPLICANT: David Raistrick and Philip Raistrick

FILING DATE: January 17, 2001

GROUP Not Yet Assigned

**U.S. PATENT DOCUMENTS**

*EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	5 1 7 7 8 0 0	01/05/93	Coats			
	5 2 8 9 1 5 7	02/22/94	Rudick et al.			
	5 3 1 9 1 8 5	06/07/94	Obata			
	5 3 4 0 9 7 2	08/23/94	Sandor.			
	5 3 4 7 4 5 3	09/13/94	Maestre			
	5 4 0 8 4 4 3	04/18/95	Weinberger			
	5 4 1 0 1 4 0	04/25/95	Bard et. al.			
	5 4 9 5 9 6 1	03/05/96	Maestre			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

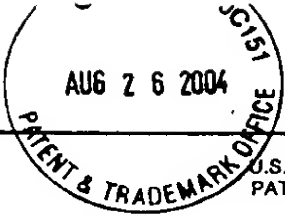
	Article from <a href="http://wearables.bly.org">http://wearables.bly.org</a> entitled "Re: Bar Code Search Engine" by David Covin, dated December 12, 1999 (one page)
	Press Release from <a href="http://www.connectthings.com">www.connectthings.com</a> entitled "Fast Path to Patient-Fass on the Web" dated December 9, 1999 (one page)
	Article from Braille Forum published by the American Council of the Blind entitled "Mastering the Code to Independence" by Nolan Crabb dated June 1998 (three pages)
	Article from U.S. News & World Report entitled "Doctoring a Sickly System" by Joseph P. Shapiro, dated December 13, 1999 (two pages)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449  
(Rev. 2-83)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 1766/39027  
Case 1A-CIP

SERIAL NO. 09/761,935

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

APPLICANT: David Ralstrick and Philip Ralstrick

FILING DATE: January 17, 2001

GROUP Not Yet Assigned

**U.S. PATENT DOCUMENTS**

*EXAMINE R INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	5 5 7 7 3 3 5	11/26/96	Tucker			
	5 6 0 2 8 0 2	02/11/97	Leigh-Spencer et al.			
	5 6 1 6 9 0 1	04/01/97	Crandall			
	5 6 4 6 9 1 2	07/08/97	Cousin			
	5 6 5 7 2 3 6	08/12/97	Conkright			
	5 7 0 6 2 5 8	01/06/98	Poe et al.			
	5 7 0 8 6 2 7	01/13/98	Gormley			
	5 7 1 9 7 8 0	02/17/98	Holmes et al.			

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(Rev. 2-83)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 1766/39027  
Case 1A-CIP

SERIAL NO. 09/761,935

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(Use several sheets if necessary)

APPLICANT: David Ralstrick and Phillip Ralstrick

FILING DATE: January 17, 2001

GROUP Not Yet Assigned

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	5 8 5 0 3 4 4	12/15/98	Conkright			
	5 8 5 2 5 9 0	12/22/98	de la Huerga			
	5 8 9 9 3 3 5	05/04/99	Boyer et al.			
	5 9 0 5 6 5 3	05/18/99	Higham et al.			
	5 9 1 2 8 1 8	06/15/99	McGrady et al.			
	5 9 1 5 5 5 8	06/29/99	Girvetz			
	5 9 1 7 1 7 4	06/29/99	Moore et al.			
	5 9 6 3 1 3 6	10/05/99	O'Brien			

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						YES	NO

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Case 1A-CIP

SERIAL NO. 09/761,935

INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(Use several sheets if necessary)

APPLICANT: David Raistrick and Philip Raistrick

FILING DATE: January 17, 2001

GROUP Not Yet Assigned

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	5 9 7 1 5 9 4	10/26/99	Sahal et al.			
	5 9 9 0 7 8 2	11/23/99	Lee			
	6 0 0 4 0 2 0	12/21/99	Bartur			
	6 0 1 4 3 4 6	01/11/00	Malone			

## FOREIGN PATENT DOCUMENTS

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)


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Case 1A-CIP  
1766/39027

April 12, 2001  
RAB/LLP/PAK/tes

Applicants: David RAISTRICK and Philip RAISTRICK  
Serial No.: 09/761,935  
For: APPARATUS AND METHOD FOR INFORMATION  
CHALLENGED PERSONS TO DETERMINE  
INFORMATION REGARDING PHARMACEUTICAL  
CONTAINER LABELS

Filed: January 17, 2001

Enclosed: INFORMATION DISCLOSURE STATEMENT; Form  
PTO-1449; Forty (40) cited references; Certificate of First Class Mailing;  
and this postcard.

Receipt Acknowledged: \_\_\_\_\_

F/U: 05/12/01

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105 WEST ADAMS STREET---SUITE 3600  
CHICAGO, IL 60603

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TREXLER, BUSHNELL, GIANGIORGI  
& BLACKSTONE LTD.



PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 09/761,935 )  
)  
Filed: January 17, 2001 )  
)  
Art Unit: 2876 )  
)  
Examiner: Not yet assigned )  
)  
For: APPARATUS AND )  
METHOD FOR )  
INFORMATION )  
CHALLENGED PERSONS )  
TO DETERMINE )  
INFORMATION )  
REGARDING )  
PHARMACEUTICAL )  
CONTAINER LABELS )  
)  
Applicant: RAISTRICK ET AL. )  
)  
Atty Docket No.:1766/39027/1A-CIP)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

Date of Deposit: April 3, 2002  
Tiffany E. Sexton  
Tiffany E. Sexton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Supplemental Information Disclosure Statement. A copy of the listed reference is included herewith. This Supplemental Information Disclosure Statement and the enclosure constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

This Supplemental Information Disclosure Statement is being filed before the receipt of a first Office Action. Therefore, it is believed that no fee is required. However, should the

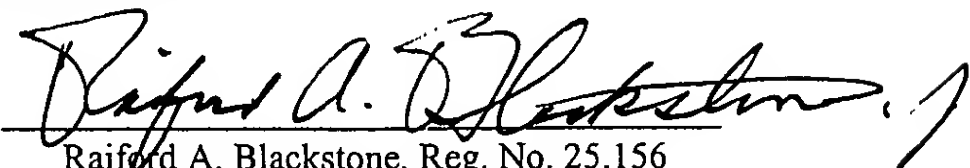
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Examiner believe a fee is required, the United States Patent and Trademark Office is hereby  
authorized and requested to charge the fee to the deposit account of the undersigned firm,  
Account No. 20-1495.

Respectfully submitted,

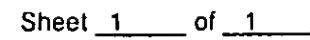
Dated: April 3, 2002

By:



Raiford A. Blackstone, Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
Trexler, Bushnell, Giangiorgi,  
Blackstone & Marr, Ltd.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

SERIAL NO. 09/761,935

APPLICANT: Raistrick et al.

GROUP 2876

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT

Serial No.: 09/761,935 )  
)  
Filed: January 17, 2001 )  
)  
For: APPARATUS AND METHOD FOR )  
INFORMATION CHALLENGED )  
PERSONS TO DETERMINE )  
INFORMATION REGARDING )  
PHARMACEUTICAL CONTAINER )  
LABELS )  
)  
Applicant: David Raistrick and Philip Raistrick )  
)  
Examiner: Not Yet Assigned )  
)  
Art Unit: 2876 )  
)  
Attorney Ref: 1766/39027/1A-CIP )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 18, 2001.

Tiffany E. Sexton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement. A copy of each of the listed references is included herewith. This Information Disclosure Statement and the enclosures constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

This Information Disclosure Statement is being filed before receipt of a first Office Action and within three (3) months of the citation of these references by the Examiner in the parent application Serial No. 09/490,681. Therefore, it is believed that no fee is required.

COPY

However, should the Examiner believe a fee is required, the U.S. Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: June 18, 2001

By: 

Raiford A. Blackstone, Jr., Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
Trexler, Bushnell, Giangiorgi,  
Blackstone & Marr, Ltd.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

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(Rev. 2-83)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 1766/39027

SERIAL NO. 09/761,935

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

APPLICANT: Ralstrick et al.

FILING DATE: January 17, 2001

GROUP 2876

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	5 8 2 2 5 4 4	10/13/98	Chaco et al.			
	5 9 7 1 2 7 9	10/26/99	Ralstrick et al.			
	6 0 8 8 6 9 5	07/11/00	Kara			
	6 1 5 0 9 4 2	11/21/00	O'Brien			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER

DATE CONSIDERED

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Case 1A-CIP  
1766/39027

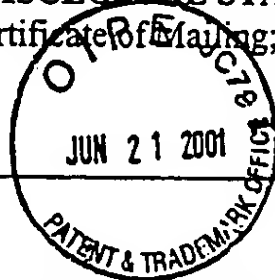
June 18, 2001  
RAB/LLP/tes

Applicant: Raistrick et al.  
For: APPARATUS AND METHOD FOR INFORMATION  
CHALLENGED PERSONS TO DETERMINE INFORMATION  
REGARDING PHARMACEUTICAL CONTAINER LABELS

Serial No.: 09/761,935  
Filed: January 17, 2001

Enclosed: INFORMATION DISCLOSURE STATEMENT; Form PTO-  
1449; four cited references; Certificate of Mailing; and this postcard.

Receipt Acknowledged: \_\_\_\_\_ F/U: 07/18/01



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BLACKSTONE & MARR, LTD.  
105 West Adams Street, 36th Floor  
Chicago, IL 60603-6299

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JUN 25 2001

TREXLER, BUSHNELL, GIANGIORGI,  
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PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 09/761,935 )  
)  
Filed: January 17, 2001 )  
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Art Unit: 2876 )  
)  
Examiner: Not Known )  
)  
For: APPARATUS AND )  
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PHARMACEUTICAL )  
CONTAINER LABELS )  
)  
Applicant: David Raistrick and )  
Philip Raistrick )  
)  
Atty Docket No.: 1766/39027 )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

Date of Deposit:

June 20, 2001

Tiffany E. Sexton

Tiffany E. Sexton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement. A copy of each of the listed references are included herewith. Also enclosed is a copy of the International Search Report from the corresponding PCT application PCT/US01/02162. This Information Disclosure Statement and the enclosures constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

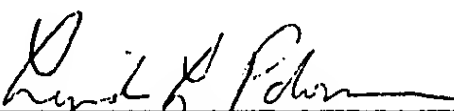
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This Information Disclosure Statement is being filed before receipt of a first Office Action and within three months of the date of the International Search Report. Therefore, it is believed that no fee is required. However, should the Examiner believe a fee is required, the U.S. Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: June 20, 2001

By:   
Raiford A. Blackstone, Jr., Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

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Sheet 1 of 1

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PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 1766/39027  
Case 1A-CIP

SERIAL NO. 09/761,935

INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(Use several sheets if necessary)

APPLICANT: David Raistrick and Philip Raistrick

FILING DATE: January 17, 2001

GROUP Not Yet Assigned

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	4 8 5 7 7 1 6	08/15/89	Gombrich et al.			
	5 2 9 1 3 9 9	03/01/94	Chaco			
	5 4 6 5 0 8 2	11/07/95	Chaco			
	5 5 5 7 0 9 6	09/17/96	Watanabe et al.			
	5 6 0 2 3 7 7	02/11/97	Beller et al.			

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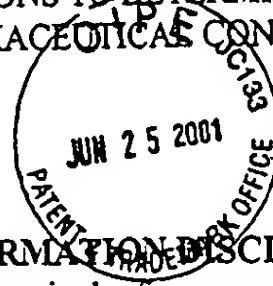
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1766/39027

June 20, 2001  
RAB/LLP/tes

Applicant: Raistrick et al.  
For: APPARATUS AND METHOD FOR INFORMATION  
CHALLENGED PERSONS TO DETERMINE INFORMATION  
REGARDING PHARMACEUTICAL CONTAINER LABELS

Serial No.: 09/761,935  
Filed: January 17, 2001



Enclosed: SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT; Form PTO-1449; five cited references; PCT International  
Search Report; Certificate of Mailing; and this postcard.

Receipt Acknowledged: \_\_\_\_\_ F/U: 07/20/01

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JUL 6 2001



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BLACKSTONE & MARR, LTD.  
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Chicago, IL 60603-6299

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**: 09/761,935**

### Apparatus and method for information challenged person information regarding pharmaceutical container labels

Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Publication Dates
	Date	Contents Description			
	12-23-2003	Mail Non-Final Rejection			
	12-15-2003	Non-Final Rejection			
	10-03-2003	Date Forwarded to Examiner			
	09-18-2003	Response to Election / Restriction Filed			
	09-18-2003	Request for Extension of Time - Granted			
	08-01-2003	Mail Restriction Requirement			
	07-31-2003	Requirement for Restriction / Election			
	04-12-2002	Information Disclosure Statement (IDS) Filed			
	04-24-2002	Case Docketed to Examiner in GAU			
	04-23-2002	Case Docketed to Examiner in GAU			
	04-01-2002	Case Docketed to Examiner in GAU			
	06-25-2001	Information Disclosure Statement (IDS) Filed			
	06-21-2001	Information Disclosure Statement (IDS) Filed			
	04-16-2001	Information Disclosure Statement (IDS) Filed			
	08-06-2001	Application Dispatched from OIPE			
	05-18-2001	Application Is Now Complete			
	05-18-2001	Application Is Now Complete			
	05-02-2001	Correspondence Address Change			
	03-27-2001	IFW Scan & PACR Auto Security Review			
	02-05-2001	IFW Scan & PACR Auto Security Review			
	01-17-2001	Initial Exam Team nn			

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Case 1A-CIP  
1766/39027

March 23, 2004  
RAB/LLP/alm

Serial No.: 09/761,935  
Filed: January 17, 2001  
For: **APPARATUS AND METHOD FOR INFORMATION  
CHALLENGED PERSONS TO DETERMINE  
INFORMATION REGARDING PHARMACEUTICAL  
CONTAINER LABELS**  
Inventor: RAISTRICK et al.

Enclosed: **RESPONSE TO THE OFFICE ACTION OF DECEMBER 23, 2003;**  
Form PTO-1083 (in duplicate); Check in the amount of \$86.00; Copy of four  
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April 3, 2002  
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Applicants: RAISTRICK ET AL.  
Serial No.: 09/761,935  
For: APPARATUS AND METHOD FOR INFORMATION  
CHALLENGED PERSONS TO DETERMINE  
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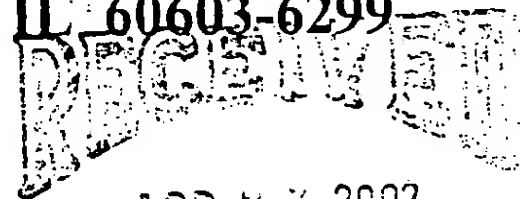
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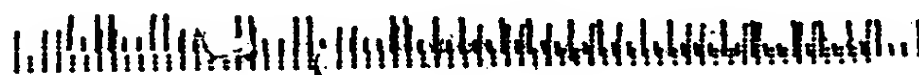


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